

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

WILLIAM MORGAN,)	Case No.: 3:14 CV 2567
)	
Petitioner)	
)	
v.)	JUDGE SOLOMON OLIVER, JR.
)	
CHARLOTTE JENKINS, WARDEN,)	
Chillicothe Correctional Institution,)	
)	
Respondent)	<u>ORDER</u>

On November 21, 2014, Petitioner William Morgan (“Petitioner” or “Morgan”) filed the current Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (ECF No. 1) in the above-captioned case, challenging the constitutionality of his convictions. Respondent Charlotte Jenkins (“Respondent” or “Jenkins”) filed a Motion to Dismiss asserting that the Petition must be dismissed as untimely under 28 U.S.C. § 2244(d).

Pursuant to Local Rule 72.2, the matter was referred to Magistrate Judge William H. Baughman, Jr., for preparation of a Report and Recommendation (“R & R”). On June 19, 2015, Magistrate Judge Baughman recommended that Petitioner’s Petition for a Writ of Habeas Corpus be dismissed as untimely. Specifically, Magistrate Judge Baughman concluded that Petitioner’s conviction became final for purposes of 28 U.S.C. § 2244(d)(1)(A) on December 17, 1999, upon the expiration of Petitioner’s time to seek direct review of his state conviction. Therefore, Magistrate Judge Baughman concluded that the one-year statute of limitations under 28 U.S.C. § 2244(d) expired on December 19, 2000. Thus, Petitioner’s Petition was nearly fourteen years too late when it was filed on November 21, 2014. Petitioner allowed the time to file an objection to Magistrate Judge Baughman’s expire without filing any objection.

The court finds Magistrate Judge Baughman's reasoning to be sound and hereby adopts Magistrate Judge Baughman's Report and Recommendation (ECF No. 15) in its entirety.

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.
CHIEF JUDGE
UNITED STATES DISTRICT COURT

August 17, 2015